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SPECIAL ACTS

OF THE

ALABAMA LEGISLATURE,

IN FORCE IN GREENE COUNTY, UNREPEALED

BY THE NEW CODE;

AND

OTHER COUNTY INFORMATION.

Published by order of Commissioners' Court.

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SPECIAL ACTS.

AN ACT

To compensate the Commissioners of Roads and Revenue and other persons in the County therein named.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the State of Alabama in General Assembly convened*, That hereafter the commissioners of Roads and Revenue of the county of Greene shall receive for their services the sum of two dollars each, for every day they shall attend the Commissioners' Court of said county, to be paid out of any monies in the Treasury of the county not otherwise appropriated; and that the certificate of the Clerk of said county shall authorise the Treasurer to pay out such amount as certified to be due. Compensat'n of Com'rs.

SEC. 2. *And be it further enacted*, That from and after the passage of this act, the Jurors for said county who may be drawn and serve on the regular panel shall be entitled to receive fifty cents per day in addition to the compensation as now allowed by law. Compensa'n of Jurors.

Approved Dec. 15, 1835.

AN ACT

To authorise the appointment of additional Surveyors in the counties therein named.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the State of Alabama in General Assembly convened*, That the County Courts of Wilcox, Greene, Montgomery, Jefferson, Barbour, Russell, Chambers, Franklin, Lowndes and Baldwin, be and they are hereby authorised to appoint one additional County Surveyor in their respective counties, who shall be required to perform the same duties and be subject to the same liabilities as are provided for by law in relation to County Surveyors. Approved Dec. 29, 1835.

Additional Surveyor.

AN ACT

To repeal in part an act entitled an act to regulate trials before Justices of the Peace, approved December 31st, 1830.

SECTION 1. *Be it enacted by the Senate and Honse of Representatives of the State of Alabama in General Assembly convened.* That hereafter, the county of Greene shall be exempt from the operations of an act entitled an act, to regulate trials before justices of the peace, approved December 31st, 1830.

Justice of the peace may issue process to any part of county.

SEC. 2. *And be it further enacted*, That from and after the passage of this act, it shall be lawful in the county of Greene, for justices of the peace in said county, to issue process against any defendant or defendants, to any part of said county, and make the same returnable or triable at any place in said county the justice of the peace issuing the same may think proper to appoint, any law to the contrary notwithstanding. Approved, Dec. 22, 1836.

AN ACT

To repeal in part an act entitled an Act to amend and Consolidate the Laws on the subjec of Public Roads so far as relates to Causeways.

SEC. 3. *And be it further enacted*, That hereafter when any person shall claim damages for timber which may be wanted to repair any public road, it shall be his duty to give notice thereof in writing to the overseer of the road, and it shall, thereupon be the duty of such overseer, to keep an accurate account of the number and quality of the trees taken by him to repair such road, and return such account forthwith, under oath, together with the notice received by him from the owner of the land, to the commissioners of roads and revenue of the county: it shall thereupon be the duty of the commissioners of roads and revenue, with the judge of the county court, at their first meeting thereafter, to assess the value of such timber, and to allow the same to be paid out of the county treasury, and they shall moreover hear such testimony as the owner of the land may desire to offer in relation to the value of the timber: *Provided*, That the provisions, of this section shall extend only to the counties of Dallas, Perry, and Greene. Damages for timber. Proviso.

SEC. 4. *And be it further enacted*, That all laws and parts of laws contravening the provisions of the foregoing section, be, and the same are hereby repealed, so far as the same relates to the counties therein named. Approved, February 5, 1840. Repeal.

AN ACT

To fix the time of the sales by Sheriff in Greene County.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Alabama, in Gener-*

al Assembly convened, That from and after the passage of this act, the sheriff of Greene county and his successors in office, may proceed to sell any property real or personal, which may be levied on by him, by virtue of any execution or by an order of sale from any court of competent jurisdiction, before the courthouse door in the town of Eutaw in said county, on the first and second Monday in every month, upon giving such notices of sale, as are now required by law.

Sale when.

SEC. 2. *And be it further enacted*, That all laws contravening the provisions of this act so far as the same relates to the county of Greene, be, and the same are hereby repealed.

Approved, January 5, 1840.

AN ACT

To authorise the sale of property at the town of Fairfield, in Pickens county, and also at the town of Greensboro', in the county of Greene.

SEC. 3. *And be it further enacted*, That it shall be the duty of the sheriff and constables in the county of Greene, to sell, as now provided for by law, all the real estate and negroes, and as to the sheriff, all personal property, that they may respectively levy upon in the discharge of the duties of their office, on the east side of the Warrior river, in said county, at Greensborough, on the third Monday in each and every month, any law now to the contrary notwithstanding: *Provided*, that the laws now in force, remain unaltered, as to the west side of said river.

Proviso.

Approved, December 31, 1841.

AN ACT.

To amend an Act entitled an Act to authorize the sale of property at the Town of Fairfield, in Pickens County, and also at Greensborough, in the County of Greene, approved December 31, 1841.

SECTION. 1. *Be it enacted by the Senate and House of Representatives of the State of Alabama in General Assembly convened*, That hereafter, the sheriff of Greene county may, at his election, sell any goods and chattels, except negroes, that may be levied on and sold by him, by virtue of any legal process, in that part of Greene county lying east of the Warrior river, either at the town of Greensborough, or any other place in said county, east of the Warrior river; and such sales, at any other place than the town of Greensborough, may be made on any day to be fixed by the said sheriff. Greene.

SEC. 2. *And be it further enacted*, That the third section of the act entitled an act to authorize the sale of property at the town of Fairfield, in Pickens county, and also at Greensborough, in the county of Greene, so far as the same conflicts with the provisions of this act, be, and the same is hereby repealed. Approved, February 2nd, 1843. Repeal.

AN ACT

To authorise the Commissioners' Court of Greene County, to erect a Jail at Greensborough for the safe keeping of slaves levied on under execution.

SECTION. 1. Be *it enacted by the Senate and House of Representatives of the State of Alabama, in General Assembly convened*, That the Commissioners' Court of the county of Greene, be, and they are hereby authorized to appropriate the sum of five hundred

dollars, to be drawn from any monies in the County Treasury, not otherwise appropriated, for the purpose of building a Jail at Greensborough, for the safe keeping of such slaves as may be levied upon, by process of law, for public sale, under execution, and such runaway slaves as may be arrested or taken up, in that part of Greene County, lying east of the Black Warrior river, and the said Commissioners are hereby authorized to contract for the building of the said Jail upon such terms as they may deem expedient.

Approved, February 13th, 1843.

AN ACT

To amend the Road laws, in the Counties of Greene and Marengo.

SECTION. 1. *Be it enacted by the Senate and House of Representatives of the State of Alabama in General Assembly convened,* That from and after the passage of this act, it may be lawful for the Courts of Commissioners of Roads and Revenue, for the Counties of Greene and Marengo, to lay off said counties into road beats or districts, separate and distinct from the militia beats in no wise to be altered or controlled by the Military officers within said beats in their military capacity.

Road beats to be laid off.

SEC. 2. *And be it further enacted,* That the said Courts of Commissioners of Roads and Revenue, after the said Counties of Greene and Marengo shall have been laid off into Road beats or districts, as specified in the above clause of this act, shall proceed to lay off said beats into grades or precincts, as directed in Clay's Digest, page five hundred and eight, in section six, of road laws.

Grades of roads

SEC. 3. *And be it further enacted.* That hereafter it shall be the duty of the Courts of Commissioners of *R*oads and Revenue, from and after the passage of this act, to appoint three discreet housekolders within each beat, to be called apportioners; also, one overseer for precinct, or part of road, the apportioners to hold their offices for four years, and the overseer for the term of two years. Apportioners to be appointed.

SEC. 4, *And be it further enacted*, That within twenty days from and after the said apportioners shall have been duly notified of their appointment, they shall proceed to take a list of all the hands within their respective beats liable to road duty, and to perform all other duties required of apportioners in fourteenth section of Road laws, Clay's Digest, page five hundred and ten; except they shall be required by this act to apportion each owner's hands, (as near as can be done, consistently with an equitable apportionment) on the part or precinct of the road nearest the owner's residence or farm; and the said hands remain on the said portion of road assigned them during the four years of apportionment, except in cases specified in the next section of this act. List of hands to be made out.

SEC. 5. *And be it further enacted*, That the apportioners appointed under this act, shall not alter the apportionment within the term of their service, except it may become necessary to do so by the removal of hands from the beat, and to open and supply new roads with hands; in that case, it shall be their duty to draw in some rateable proportion from the other precincts within their beats, so as to remedy the inequality in the apportionment produced by the said removal of hands from the beat, or other cause. Restrictions on apportionment.

SEC. 6. *And be it further enacted*, That the apportioners may have power to fill any overseer's vacancy that may occur between the regular terms of the Commissioners' Court, and that they shall be re- May fill overseer's vacancies.

quired to notify the Court of said appointment at its first regular session thereafter, to be confirmed or rejected by them.

Appplication of duties.

SEC. 7. *And be it further enacted*, That all other duties pertaining to Commissioners, Apportioners and Overseers, as contained in the general road law, which do not conflict with the provisions of this act, shall be the same, and that the same penalties shall be inflicted as prescribed in the general laws, and in the same manner for a non-performance of the duties required of them under this act.

Act to be carried into effect in nine months,

SEC. 8. *And be it further enacted*, That the Commissioners' Court of Roads and Revenue be allowed nine months to carry into effect the provisions of this act, and that they shall be required to execute the same within that time during which time the present road law to be in force in the said Counties of Greene and Marengo; after that, to be null and void as far as relates to the provisions of this act.

Restrictions on overseers.

SEC. 9. *And be it further enacted*, That no Overseer, in the counties aforesaid, shall have power to cut trees or shrubbery on any lot attached or appurtenent to any dwelling house, or designed for a dwelling house without special permission from the owner or owners of said several lots, under the penalty of one hundred dollars; to be rocovered by said owner or owners in any court of record in this State.

SEC. 10. *And be it further enacted*, That so much of the general road law of this State, as relates to the Counties of Greene and Marengo, as may come in conflict with the provisions of this act be, and the same are hereby repealed.

Approved, January 10th, 1845.

AN ACT

To allow additional compensation to the sheriff of Greene county for *ex officio* services.

SEC. 1 *Be it enacted by the Senate and House of Representatives of the State of Alabama in General Assembly convened,* That the commissioners' court of roads and revenue of Greene county be authorised and empowered to allow the sheriff of Greene county a sum not to exceed one hundred and fifty dollars, in addition to the sum now allowed by law to said sheriff for *ex officio* services, if, in their opinion, the same be expedient; *Provided, however,* That the said sum so allowed shall be paid out of the funds belonging to the county treasury of said county. $150 allowed

Proviso.

APPROVED February 7, 1852.

ELECTION PRECINCTS FOR GREENE COUNTY.

ESTABLISHED AT THE MAY TERM 1852 OF THE COMMISSIONERS' COURT, AND CORRECTED AT A SPECIAL TERM HOLDEN ON THE FIRST MONDAY IN FEBRUARY 1853.

Ordered by the court that the following changes be and they are hereby made in the election precincts, viz:

HAVANA PRECINCT :—

Commencing at the Warrior River on the line between Greene and Tuscaloosa counties, thence by said line East to the Perry county line, thence South by said line to five Mile Creek, thence by said Creek to the River and up the River to the place of beginning. Place of holding Elections, Havana.

NEW PROSPECT PRECINCT :—

Commencing at the mouth of five Mile Creek, thence up said Creek to the Hurricane Road, thence by said Road to

Big Creek, thence down Big Creek to the Warrior River, thence up said River to the place of beginning. Place of holding Elections, New Prospect.

FIVE MILE PRECINCT:—

Commencing where the Hurricane Road crosses five Mile Creek, thence up said Creek to Perry county line, thence South on said line to Big Creek, thence down Big Creek, to the Hurricane Road, and thence by said Road to the Place of beginning. Place for holding Elections, Burrell Smith's.

GREENSBORO' PRECINCT:—

Commencing at Big Creek where it crosses the Greene and Perry county line, thence south on said line to the Marion and Greensboro' Road, thence by said Road Westerly, till it meets the Cahaba Road near Greensboro', thence West on the Section line to the Range line between Ranges 4 & 5, thence North to Big Creek, thence up said Creek to the place of beginning. Place for holding Elections, Greensboro'.

NEWBERN PRECINCT:—

Commencing on the Perry county line where it is crossed by the Road from Marion to Greensboro', thence by said line South to the Marengo county line, thence West by said line to Little Praire Creek, thence up said Creek till it crosses the Range line between Ranges 4 & 5, thence North by said line to the line between Sections 18 & 19 in Township 20 Range 4, thence East on the Section lines to the Marion and Greensboro' Road at the point where the Cahaba Roade diverges, thence by said Marion Road to the Perry county line. Place for holding Elections, Newbern.

HOLLOW SQUARE PRECINCT:—

Commencing at the mouth of Limestone Creek, thence up the River to Big Creek, thence up Big Creek to the Range line between Ranges 4 & 5, thence by said line to the Road from Greensboro' to Wither's Mill, thence by said Road to Limestone Creek, thence down said Creek to its mouth. Place for holding Elections, Hollow Square.

GERMAN CREEK PRECINCT:—

Commencing on the Marengo county line where it is crossed by the Little Prairie Creek, thence West by said line to the Warrior River, thence up the River to the mouth of

Limestone Creek, thence up said Creek to the road from Greensboro' to Wither's Mill, thence by said Road to the point where it crosses the Range line between Ranges 4 & 5, thence south by said Range line to Little Prairie Creek, thence by said Creek to the Marengo county line. Place of holding Elections, Drake's Landing.

FORKLAND PRECINCT:—

Commencing at the Range line on the Bigbee River between Ranges 1 & 2 East, running North with the Range line to the Columbus Road, thence with the Columbus Road to the Erie Road, thence East with said Road to the Warrior River, thence down the River to the junction of the Warrior and Bigbee Rivers, thence up the Bigbee River to the beginning. Place for holding Elections, Forkland.

GARRETT'S PRECINCT:—

Commencing at the Range line between Ranges 1 & 2 on the Bigbee River, thence North with the Range line to the Columbus Road, thence with said Road to the Erie Road, thence West with said Road to Taylor's Creek thence down the River to the beginning. Place of holding Elections, Garrett's Shop.

BOLIGEE PRECINCT:

Commencing at the Columbus road where it crosses Taylor's Creek, down Taylor's Creek to the Bigbee river, thence up the river to Trussel's Ferry, thence with the road from Trussel's Ferry to Eataw to the Columbus road, thence with the Columbus road, to the beginning. Place of holding Elections, Boligee, P. O.

EUTAW PRECINCT:—

Commencing at the mouth of Minter's Creek, thence up said Creek to the section line between sections 23 and 24, thence due west with section lines to the range line letween ranges 1 and 2 east, thence south with the range line to the Trussel's Ferry road, thence west with Trussel's Ferry road to the Columbus road, thence South with the Columbus road to the Factory road at Taylor's Creek, thence east with the Factory road to the Warrior river, thence up the river to the place of beginning. Place for holding Elections, Eutaw.

CLINTON PRECINCT:—

Commencing at the range line between range 1 and 2 east where it crosses the Trussel's Ferry road, thence west with Trussel's Ferry road to the Columbus road, thence north with Columbus road to the Warsaw road, thence east with the Warsaw road to the meridian line; thence, North with the meridian line to the Pickens County line, thence east with the County line to the range line between ranges 1 and 2 east, thence south with said range line to the place of beginning. Place of holding Elections, Clinton.

MOUNT HEBRON PRECINCT:—

Commencing where the Columbus and Demopolis Road intersects the Warsaw Road, following said Road to Bigbee River, down said River to Trusseell's Ferry, and following the Road leading from Trussell's Ferry to Eutaw to the Columbus, and Demopolis Road, thence up said Road to the beginning. Place of holding Elections, Mount Hebron.

PLEASANT RIDGE PRECINCT:—

Commencing where the Meridian line crosses the Warsaw road, thence west with the Warsaw road to the Bigbee river, thence up the said river to the Pickens county line, thence east with Pickens county line to the meridian line; thence South with the meridian line to the place of beginning. Place of holding Elections, Pleasant Ridge.

SPRINGFIELD PRECINCT:—

Commencing at the mouth of Minter's Creek, up said creek to the section line between sections 23 & 26, thence due west with the section line to the range line between ranges 1 & 2 east, thence north with the range line to the section line between sections 30 and 31, township 23 range 2 east, thence due east with the section lines to the Warrior river, thence south with said river to the place of beginning. Place of holding Elections, Springfield.

KNOXVILLE PRECINCT:—

Commencing on the Warrior river at the section line between Sections 26 and 35, township 23 range 3 east, running thence due west on the section lines to the range line between 2 and 3 east, thence north with said range line to the Tuscaloosa Couuty line, thence East with the county line to the War-

nor River, thence down said River to the place of beginning. Place of holding Elections, Knoxville.

UNION PRECINCT:—

Commencing on the range line at the south east corner of section 25, township 23, range 2 east, running thence due west on the section line to the range line between range 1 and 2 east, thence north with said range line to Pickens county line, thence east with the county line to the range line between 2 and 3 east, thence south with said range line to the place of beginning. Place for holding Elections, Union.

ORDER ASSIMILATING ROAD BEATS AND ELECTION PRECINCTS IN GREENE COUNTY.

THE STATE OF ALABAMA, } Commissioners' Court
GREENE COUNTY. } February Term, 1853.

ORDERED by the Court that hereafter the road beats for the county shall correspond in their limits and bounds with the Election precincts as established at the May Term 1852 of this Court, and corrected at a special term holden on the first Monday in February, inst.

Attest: J. R. EVANS, Judge.

FORM OF NOTICE TO OVERSEERS OF ROADS BY PARTIES CLAIMING DAMAGES FOR TIMBER.

THE STATE OF ALABAMA. }
Greene County. } 185 .

TO A. B. overseer of the Road from———to———

YOU are hereby notified that I shall claim to be paid by the county for all timber you have or hereafter may cut from my land. You will, therefore, keep a correct account of the same and make affidavit thereto according to law. (Signed) C. D.

RATES OF FERRIAGE.

THE STATE OF ALABAMA, } Commissioners' Court
Greene County, } February Term, 1852.

ORDERED by the court that the following rates of ferriage be and are hereby established to all ferries in Greene County from and after this date.

	cts.
For man and horse ten cents,	10
For man or horse each five cents,	05
For a carriage or wagon with four or more horses,	75
For a pleasure carriage with two horses,	50
For any one horse pleasure carriage or cart,	25
For an ox cart or wagon with two oxen	35
For an ox cart or wagon with more than two oxen	62½
For a Dearborn or wagon with three horses or more	35
For sheep, hogs, cattle, goats &c., 2 1-2c each	2½

The drivers superintendants and in-riders in any wagon, carriage, cart &c., to cross free from charge even though they get out and cross in the flat, and for other property or lumber a resonable charge, such as the labour and risk my justify.

Attest JAMES R. EVANS, Judge.

COURTS OF GREENE COUNTY.

CIRCUIT COURT,
Begins 2nd Monday after 4th Monday in March and September.

PROBATE COURT,
Held on 2nd Monday in each month.

COMMISSIONERS' COURT,
Held 1st Monday in Feb'y and April
and 2nd " " August " November.